

Senate Bill 63

By: Senators Hudgens of the 47th, Williams of the 19th, Mullis of the 53rd and Butterworth of the 50th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 33-50-2 of the Official Code of Georgia Annotated, relating to a
2 required license for any multiple employer self-insured health plan to transact business in this
3 state and health plans of municipalities, counties, or other political subdivisions, so as to
4 provide that any plan or arrangement established or maintained by two or more accredited
5 independent nonproprietary institutions of higher education located in this state is not subject
6 to the requirements relating to multiple employer self-insured health plans; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Code Section 33-50-2 of the Official Code of Georgia Annotated, relating to a required
11 license for any multiple employer self-insured health plan to transact business in this state
12 and health plans of municipalities, counties, or other political subdivisions, is amended by
13 revising subsection (b) as follows:

14 "(b) This chapter does not apply to any plan or arrangement established or maintained by
15 municipalities, counties, or other political subdivisions of ~~the~~ this state; any multiple
16 employer self-insured health plan which is not subject to the application of state insurance
17 laws under the provisions of the Employee Retirement Income Security Act of 1974, 29
18 U.S.C. Section 1001, et seq.; to organizations established under the authority of or
19 receiving funds pursuant to 42 U.S.C. Section 254(b) or 254(c), the federal Public Health
20 Service Act; any other nonprofit organization exempt from federal taxation whose primary
21 purpose is providing access to primary health care services for indigent citizens of Georgia;
22 ~~or to~~ any plan or arrangement established or maintained by a nonprofit educational
23 organization with assets of more than \$100 million for the benefit of the employees of such
24 organization and the employees of any affiliated or associated persons, firms, associations,
25 or corporations which perform functions related to those of such educational organization
26 or of which a majority of the membership of the governing body is composed of employees

27 or members of the governing body of the nonprofit educational organization; or to any plan
28 or arrangement established or maintained, directly or through a legal entity, by two or more
29 accredited independent nonproprietary institutions of higher education located in this state
30 that have combined assets of more than \$100 million and are members of the Georgia
31 nonprofit corporation representing a majority of the accredited independent nonproprietary
32 institutions of higher education located in this state for the benefit of the employees,
33 including retired employees, of:

34 (1) Such institutions;

35 (2) Any affiliated or associated persons, firms, associations, trusts, or corporations that
36 perform functions similar or related to those of one or more of such institutions or of
37 which a majority of the membership of the governing body is composed of employees or
38 members of the governing body of one or more of such institutions; and

39 (3) The Georgia nonprofit corporation representing a majority of the accredited
40 independent nonproprietary institutions of higher education located in this state."

41 **SECTION 2.**

42 All laws and parts of laws in conflict with this Act are repealed.